**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**
CHAMBER SUMMONS NO.789 OF 2007
ALONGWITH
NOTICE OF MOTION NO.1604 OF 2007
IN
SUIT NO.4120 OF 1994

Jagdish T. Gajjar ..Plaintiff.
Vs.
Maheshchandra T. Gajjar
& Ors. ..Defendants.

And
Smt.Damayantiben Jivaram
Gajjar ..Respondent.

Mr.Amit Jamsandekar with Mr.Amritha Ahuja i/b.M/s.Ahuja & Associates for the Plaintiff.

Mr.Ranjit Sheth i/b.P.D.S.Legal for Defendant No.1.

Mr.Simil i/b.M.G.Gawade for Respondent No.4.

Mr.M.G.Vasudeo i/b.Suman Jain for the Respondents.

**CORAM : A.M. KHANWILKAR, J.**
**DATED : 21ST JUNE, 2007**

**P.C. :**

Not on board. Upon mentioning, taken on board. Heard alongwith Notice of Motion No.1604 of 2007 as it is listed today.

2. By consent, Chamber Summons is allowed in terms of prayer clauses (a), (b), (c) and (d). Amendments to be carried out within two weeks from today.

3. It is made clear that the amendment is granted

without prejudice to the rights and contentions of the respective parties on merits of the claim of the Applicant.

4. In so far as Notice of Motion No.1604 of 2007 is concerned, there is already an order of status-quo passed on 3rd May, 2007. The same order to continue till the hearing of Motion which is now scheduled on 31st July, 2007.

5. The reply affidavit, if any, to be filed on or before 2nd July, 2007. Re-joinder, if any to be filed on or before 16th July, 2007.

6. No further request for adjournment for filing of pleadings will be entertained when the matter is called out on the next date of hearing.

7. Vakalatnama filed by the Advocate on record for Respondent No.4 in the Chamber Summons be treated as having been filed in the suit as well as in the pending Notice of Motion.

8. It will be open for the parties to consider the exploring of possibility of settlement in the meantime, if any, including by making reference to

common mediator.